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FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2046 OF 2005

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Mr.Ashok M. Saraogi for the petitioner.

Mr.D.R. More, A.P.P., for the respondent-State

CORAM: S.S. PARKAR &
ANOOP V. MOHTA, JJ.

DATED: 6TH SEPTEMBER, 2005.

P.C.:

. Heard.

2. Mr.More states that pursuant to the direction of the Magistrate, issued under Section 156(3) of the Criminal Procedure Code, the Police have investigated the case and submitted their Report to the concerned Magistrate on 15th April, 2005 stating therein that no criminal case is made out and the complaint is neither true nor false and, therefore, they have filed B Summary Report.

3. It is well settled that before the Report is accepted by the Magistrate against

the complainant, hearing will have to be given to the complainant by issuing notice to him. According to Mr.More, so far no order is passed by the Magistrate on the said Report, accepting or rejecting the B Summary Report filed by the Police.

4. In view of the above, we direct the learned Magistrate to give hearing to the petitioner-complainant if he is inclined to accept the Report filed by the Police.

5. With the aforesaid direction, this Petition shall stand disposed of.

[S.S. PARKAR, J.]

[ANOOP V. MOHTA, J.]